

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION NO.10109 OF 2017

ORDER:

This writ petition is filed by the petitioners under Article 226 of the Constitution of India challenging the proceedings in Ref. No. MPB/SHARES/31/2016-17, dated 06-03-2017 issued by the 6th respondent bank rejecting the application of the petitioners herein for membership.

2. Obviously, the said order is an order passed under Section 19 of the A.P. Co-operative Societies Act, 1964 (for short 'the Act'). Section 76 (1) of the Act reads as under:

"76. APPEALS: (1) Any person or society aggrieved by any decision passed or order made under Section 6, Section 9-A, Section 9-B, Section 9-C, Section 12-A, Section 13 (**), Section 16, Section 17, Section 19, Section 21, Section 21-A, Section 21-AA, Section 23, sub-Section (3) of Section 32, Section 34, Section 34-A, Section 60, Section 62, Section 64, Section 66, Section 70, Section 71, Section 73 and Section 117, may be appeal to the Tribunal."

As per the above provision of law, any order passed under Section 19 of the Act is appealable to the Tribunal. In the instant case, without availing alternative effective remedy of appeal, the present writ petition is filed. On the sole ground, the writ petition, in my considered opinion, has to be dismissed.

3. Accordingly, the Writ Petition is dismissed. However, liberty is given to the petitioners to approach appropriate Forum of law for redressal of grievance in terms of Section 76 of the Act. No order as to costs. Miscellaneous petitions, if any pending in this writ petition shall stand closed.

4. A request is made by the learned counsel for the petitioners to direct the Tribunal to dispose of the appeal in the event of appeal being filed by the petitioners herein. If any such appeal is filed by the petitioners herein, the Tribunal may

dispose of the same in accordance with law as expeditiously as possible.

A.V.SESHA SAI, J

DATED: 22-03-2017

Hsd

